

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SALVATORE TANTILLO,

Plaintiff

Docket No. 23-cv-1447(TJM/ML)

**NOTICE OF MOTION**

-against-

NEW YORK STATE TROOPER BRANDON D.  
SMITH, COMPLETE CLAIMS SERVICES, LLC,  
FRANK AND SONS AUTOBODY, PURE  
INSURANCE, SUSAN LYNCH and  
ARBITRATION FORUMS, INC.,

Defendants.  
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**MOTION MADE BY:**

Defendants Pure Insurance and Susan Lynch

**DATE, TIME AND PLACE  
OF HEARING:**

To be determined by Order of the Court

**SUPPORTING PAPERS:**

Affirmation of Jason M. Bernheimer, Esq., and all  
the Exhibits annexed thereto; Affidavit of Susan  
Lynch; Affidavit of Nitasha Bansal; and  
Memorandum of Law.

**RELIEF DEMANDED:**

1) Dismissal of the complaint pursuant to Fed. R.  
Civ. Pro. 12(b)(1), (5) and (6) for lack of subject-  
matter jurisdiction, insufficient service of process  
and failure to state a claim upon which relief can be  
granted; and 2) such other and further relief as this  
Court may deem just and proper.

**REPLY PAPERS:**

Defendants Pure Insurance and Susan Lynch intend  
to submit reply papers.


**ORAL ARGUMENT:**

Not requested.

Dated: Chappaqua, New York  
December 22, 2023

Yours, etc.,

KEANE & BERNHEIMER, PLLC

By:   
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PRIVILEGE UNDERWRITERS RECIPROCAL  
EXCHANGE s/h/a PURE INSURANCE and  
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All Other Parties Upon Appearance